

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Notice of Compliance)
by Ohio Edison Company, The Cleveland)
Electric Illuminating Company, and The) Case No. 15-1324-EL-ACP
Toledo Edison Company with the Electric)
Security Plan.)

ENTRY

The Commission finds:

- (1) Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company (collectively, FirstEnergy or the Companies) are electric distribution utilities as defined in R.C. 4928.01(A)(6) and public utilities as defined in R.C. 4905.02 and, as such, are subject to the jurisdiction of this Commission.
- (2) R.C. 4928.141 provides that an electric distribution utility shall provide customers within its certified territory a standard service offer (SSO) of all competitive retail electric services necessary to maintain essential electric services to customers, including firm supply of electric generation services. The SSO may be either a market rate offer in accordance with R.C. 4928.142 or an electric security plan (ESP) in accordance with R.C. 4928.143.
- (3) On July 18, 2012, the Commission issued an Opinion and Order in *In re Ohio Edison Co., Cleveland Elec. Illum. Co., and Toledo Edison Co. for Auth. to Establish a Std. Serv. Offer Pursuant to Section 4928.143, Revised Code, in the Form of an Elec. Security Plan*, Case No. 12-1230-EL-SSO (*ESP III Case*), approving a stipulation (Stipulation) filed by various parties. The Stipulation contained a requirement that the Companies conduct requests for proposals (RFPs) to seek competitive bids to purchase renewable energy credits (RECs) through ten-year contracts. *ESP III Case* at 9. The Stipulation further provides that, if certain criteria are met, the Companies may be required to conduct additional RFPs for ten-year contracts for solar REC delivery. However, “[i]f the standard service offer load of the

Companies is less than 15,000,000 MWh[,] no additional solar RECs will be purchased that year." The SSO load is calculated by "multiplying the Companies' prior year non-shopping percentage, as submitted by the Companies to Commission Staff in December of each year, by the Companies' long term forecast as filed with the Commission on April 15 for the year in which an RFP may occur." *ESP III Case*, Stipulation (Apr. 13, 2012) at 15-16.

- (4) On July 16, 2015, the Companies filed a "notice of compliance" providing that an additional ten-year RFP to purchase solar RECs will not be held for the period of 2016 through 2025 in accordance with the Stipulation. The Companies filed substantially similar notices in Case Nos. 12-2217-EL-ACP, 13-1191-EL-ACP, and 14-1286-EL-ACP, in which the Commission issued entries concurring that the Companies were not required to conduct such additional RFPs in 2012, 2013, and 2014.
- (5) The Companies' July 16, 2015 notice of compliance states that their SSO load is less than 15,000,000 megawatt hours (MWh) for the year in which the RFP may occur (2015), based on the data provided in the Companies' long-term forecast.
- (6) On August 6, 2015, the Commission's staff (Staff) filed comments on the notice of compliance. In its comments, Staff states that it reviewed the Companies' calculations and confirmed that, using the Companies' inputs, the SSO load is less than 15,000,000 MWh. Staff notes that its calculations used non-switching percentages that differed slightly from the Companies, but that the outcome did not differ significantly. Consequently, Staff states that it agrees with the Companies' conclusion that they are not required to conduct an additional RFP.
- (7) No party filed reply comments on the Companies' notice of compliance.
- (8) The Commission has reviewed the Companies' notice of compliance and Staff's calculations and finds the total SSO load for the 2015 calendar year was below the 15,000,000 MWh threshold established in the Stipulation. Therefore, the Commission finds that the Companies are not required to conduct an additional RFP.


- (9) Additionally, the Commission notes that FirstEnergy's filing of its notice of compliance regarding a 2015 RFP for the 2016 through 2025 delivery period completes its obligations regarding additional ten-year RFPs to purchase solar RECs under the *ESP III Case* Stipulation. *ESP III Case* at 9. Consequently, FirstEnergy is no longer required to conduct additional ten-year RFPs to purchase solar RECs or file a notice of compliance regarding such RFPs pursuant to the *ESP III Case* Stipulation.

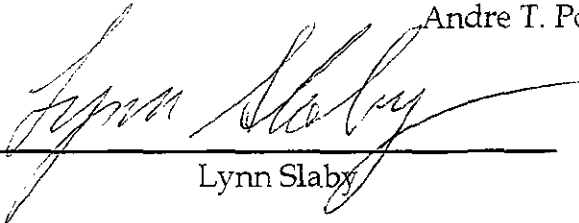
It is, therefore,

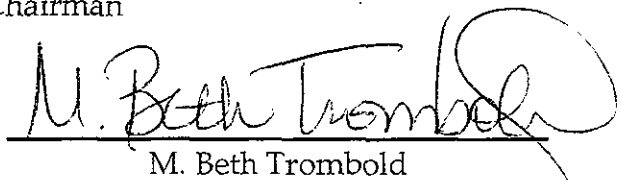
ORDERED, That the Companies are not required to conduct an additional RFP as set forth in Finding (8). It is, further,

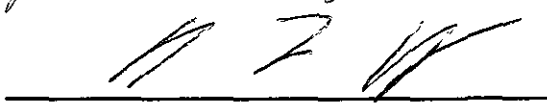
ORDERED, That a notice or copy of this Entry be served upon all parties of record.

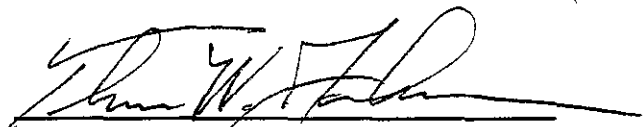
THE PUBLIC UTILITIES COMMISSION OF OHIO


Andre T. Porter, Chairman


Lynn Slaby


M. Beth Trombold

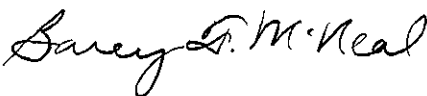

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Entered in the Journal

JAN 06 2016


Barcy F. McNeal

Barcy F. McNeal
Secretary